

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BEARBOX LLC and AUSTIN  
STORMS,

Plaintiffs,

v.

LANCIUM LLC,  
MICHAEL T. MCNAMARA, and  
RAYMOND E. CLINE, JR.,

Defendants.

C.A. No. 21-534-GBW-CJB

**[PROPOSED] FINAL JUDGMENT**

This action, having come before the Court for a bench trial from December 6 through December 8, 2022, the Honorable Gregory B. Williams, United States District Judge, presiding, and the Court having heard the evidence and testimony of witnesses of Plaintiffs BearBox LLC and Austin Storms (collectively, “Plaintiffs”) and Defendants Lancium LLC, Michael T. McNamara, and Raymond E. Cline, Jr. (collectively, “Defendants”);

AND WHEREAS the Court issued a post-trial Opinion (D.I. 262) and Order (D.I. 263) on March 6, 2023, finding in favor of Defendants and against Plaintiffs on Count I and Count II of Plaintiffs’ Second Amended Complaint (D.I. 103) (the “SAC”), which alleged claims seeking to correct inventorship for U.S. Patent No. 10,608,433 (the “’433 Patent”) to name Austin Storms as the sole or a joint inventor of the ’433 Patent;

AND WHEREAS the Court issued a Minute Entry on April 25, 2022 striking Count III and Count IV of the SAC, which alleged claims of trade secret misappropriation against Defendants;

AND WHEREAS the Court issued a Memorandum Opinion (D.I. 212) and Order (D.I. 213) on October 7, 2022, adopting a Report and Recommendation issued on May 26, 2022

(D.I. 143), dismissing with prejudice Count VI of the SAC alleging unjust enrichment against Defendants;

AND WHEREAS the Court issued a Memorandum Opinion (D.I. 230) and Order (D.I. 231) on November 14, 2022 granting summary judgment in favor of Defendants and against Plaintiffs on Count V of the SAC alleging conversion against Defendants;

AND WHEREAS the Court issued an Order (D.I. 97) on February 2, 2022, adopting a Report and Recommendation issued on January 18, 2022 (D.I. 92), dismissing with prejudice Count V (negligent misrepresentation) of Plaintiffs' Amended Complaint (D.I. 19);

**IT IS HEREBY ORDERED AND ADJUDGED**, as of the date written below, that  
**Final Judgment is entered as follows:**

1. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count I of the SAC seeking to correct inventorship of the '433 Patent under 35 U.S.C. § 256 to name Austin Storms the sole inventor of the '433 Patent;
2. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count II of the SAC seeking to correct inventorship of the '433 Patent under 35 U.S.C. § 256 to name Austin Storms a joint inventor of the '433 Patent;
3. Final Judgment is entered in favor of Defendants and against Plaintiffs on Counts III-VI of the SAC alleging trade secret misappropriation, conversion, and unjust enrichment, respectively;
4. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count V of the Amended Complaint alleging negligent misrepresentation;

5. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count I of Defendants' Second Amended Counterclaims (D.I. 145) (the "Counterclaims") seeking declaratory judgment that Austin Storms is not an inventor of the '433 Patent;

6. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count II of the Counterclaims seeking declaratory judgment that Austin Storms has no ownership rights in the '433 Patent;

7. Final Judgment is entered in favor of Defendants and against Plaintiffs on Count III of the Counterclaims seeking declaratory judgment that Defendants did not steal or otherwise improperly obtain or use any information from Plaintiffs.

IT IS FURTHER ORDERED that the deadline for any party to move for costs and/or attorney's fees (including, but not limited to, under 35 U.S.C. § 285) is fourteen (14) days after the entry of this Final Judgment.

SO ORDERED AND FINAL JUDGMENT IS HEREBY ENTERED

this \_\_\_\_ day of \_\_\_\_\_, 2023.

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THE HONORABLE GREGORY B. WILLIAMS  
UNITED STATES DISTRICT JUDGE